

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLIE BRIGHT,

Plaintiff,

- against -

ANTHONY J. ANNUCCI, *et al.*,

Defendants.

Copies mailed 10/27/22
Chambers of Judge Davison

18 Civ. 11111 (NSR)(PED)

ORDER

PAUL E. DAVISON, U.S.M.J.:

On September 13, 2022, plaintiff and defense counsel appeared via AT&T teleconferencing for a conference in the above-captioned case.¹ During that conference, I scheduled a conference in the same format for October 12, 2022 at 11:30 a.m. The conference was later adjourned to October 25, 2022 at 11:00 a.m.

Defense counsel appeared via AT&T teleconferencing on October 25th, but plaintiff refused to participate. Plaintiff is currently housed at the Clinton Correctional Facility and personnel arranged for him to use a private telephone booth for the conference. These booths are where legal and court conference telephone calls are conducted at the facility. In the paperwork concerning his refusal to participate in the conference, plaintiff indicates that he is refusing to sit in the booth because the booth is hot. [Dkt. 186 at 3.] Plaintiff further demanded that he take his conference call in the room where his last conference call was held. [*Id.*] Counsel for the state represented defendants advises that such rooms are typically used for video conferences and generally not available for telephone conferences. [*Id.* at 1.]

Plaintiff is reminded of the duty to diligently prosecute this action under Rule 41(b) of the Federal Rules of Civil Procedure. Any further refusal to participate in court-ordered conferences will be treated as abandonment of this action.

The Court has scheduled a telephone conference for **November 22, 2022 at 10:00 a.m.** Plaintiff **must participate** in that conference.

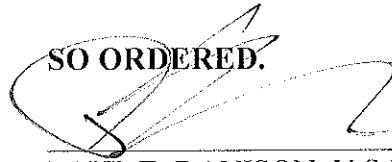
The Court further orders that final deadline for plaintiff to file any further amended

¹ Plaintiff appeared with counsel at the September 13th conference. However, shortly after the conference, plaintiff's counsel requested to be removed from the case and that request was granted on September 28, 2022. Since then, plaintiff has been proceeding *pro se*.

complaint (confined to events at Green Haven in 2015-16) is **November 15, 2022**.

**PLAINTIFF'S FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN
SANCTIONS, INCLUDING DISMISSAL OF HIS CASE FOR FAILURE TO
PROSECUTE.**

Dated: October 27, 2022
White Plains, New York

SO ORDERED.


PAUL E. DAVISON, U.S.M.J.